
TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

**Administrative Rules Oversight Committee Notice
60 Day Requirement ([IC 4-22-2-19](#))
LSA Document #12-617**

October 16, 2013

Representative Jeffrey Thompson, Chairperson
Administrative Rules Oversight Committee
c/o Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
ATTN: Sarah Burkman, AROC Counsel

RE: Notice of Delay in Adoption of Rule Establishing Trauma Registry, LSA Document #12-617

Dear Representative Thompson:

Notice of Delay

On behalf of the Indiana State Department of Health (Department), I am submitting this notice to the Administrative Rules Oversight Committee pursuant to [IC 4-22-2-19\(c\)](#).

The Department is providing notice under [IC 4-22-2-19\(c\)](#) because it did not begin the rulemaking process to add the captioned rule, establishing a trauma registry (LSA Document #12-617), within sixty (60) days after the effective date of the statute that authorizes the rule.

Reason for Delay

[IC 16-19-3-28](#) was added by P.L.155-2006, SEC. 2, which became effective July 1, 2006. That section states that the Department may adopt rules under [IC 4-22-2](#) concerning the development and implementation of a state trauma registry. The statute itself was permissive as to the establishment of a trauma registry rule. Significant internal discussion was necessary to determine the exact form and language the rule should include, all of which took more than 60 days to accomplish.

As a result, the Department did not begin promulgating the rule within the sixty (60) day requirement as provided in [IC 4-22-2-19\(c\)](#). The Department has begun the rulemaking process, but as of the date of this notice, the rulemaking process has not been completed.

The Department expects to complete the promulgation of LSA Document #12-617 as quickly and efficiently as possible. A Notice of Intent to Adopt a Rule was published on November 28, 2012 (DIN: [20121128-IR-410120617NIA](#)). An Economic Impact Statement, Cost-Benefit Analysis, and Fiscal Impact Statement were submitted to the Office of Management and Budget and Indiana Economic Development Corporation on January 9, 2013. The Office of Management and Budget approved LSA *[Document]* #12-617 on June 10, 2013. The Department submitted a proposed rule, which was published in the Indiana Register with the Economic Impact Statement on July 3, 2013 (DIN: [20130703-IR-410120617PRA](#)). The public hearing was held on July 29, 2013, and the rule was finally adopted by the ISDH Executive Board on September 11, 2013. The rule promulgation packet was submitted to the Office of the Attorney General on September 11, 2013, and is currently under review.

Your understanding of these circumstances is greatly appreciated. If you need additional information, please do not hesitate to contact me at (317) 233-7408 or mclevenger1@isdh.in.gov.

Sincerely,

Manda Clevenger
Staff Attorney
Indiana State Department of Health

